



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Set Public Hearing for November 17, 2010 To Consider Adoption of A Resolution Setting The San Joaquin County Multi-Species Habitat Conservation And Open Space Plan Development Fees For 2011 ■

**MEETING DATE:** November 3, 2010

**PREPARED BY:** Community Development Department

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**RECOMMENDED ACTION:** Set public hearing for November 17, 2010 to consider adoption of a resolution setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2011.

**BACKGROUND INFORMATION:** On February 21, 2001, the City of Lodi adopted the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The Plan includes a schedule of fees to be paid by property owners who propose to develop their property with non-agricultural uses. These fees are used to mitigate for the cumulative impacts of new development on habitat lands within Lodi and San Joaquin County. According to the Plan, it is necessary for all jurisdictions covered by the Plan to approve the Habitat Conservation Plan (HCP) fees in order for the jurisdiction to continue to participate in the Plan. The fees are reviewed on an annual basis.

On August 11, 2010, The SJCOG Board unanimously approved the attached HCP fee schedule for 2011. All local jurisdictions are requested to approve the new fee schedule that will take effect on January 1, 2011.

**FISCAL IMPACT:** N/A

**FUNDING AVAILABLE:** N/A

A handwritten signature in black ink, appearing to read "Konradt Bartlam", written over a horizontal line.

Konradt Bartlam  
Community Development Director

IB/kjc

**Attachments:**

1. Habitat Conservation Plan 2011 Fee Schedule

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**APPROVED:**

A handwritten signature in black ink, appearing to read "Konradt Bartlam", written over a horizontal line.

Konradt Bartlam, Interim City Manager



## SJCOG, Inc.

555 East Weber Avenue • Stockton, CA 95202

(209) 235-0600 • FAX (209) 235-0438

### *San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)*

Ann Johnston  
CHAIR

Chuck Winn  
VICE CHAIR

Andrew T. Chesley  
IPRESIDENT

Member Agencies  
CITIES OF  
ESCALON,  
LATHROP,  
LODI,  
MANTECA,  
RIPON,  
STOCKTON,  
TRACY,  
AND  
THE COUNTY OF  
SAN JOAQUIN

### 2011 Updated Habitat Fees\*

Habitat Type	Fee Per Acre
Multi-Purpose Open Space	\$6,631
Natural	\$ 13,262
Agriculture	\$ 13,262
Vernal Pool - uplands	\$ 38,328
Vernal Pool - wetted	\$ 77,720

\* Effective January 1, 2011 – December 31, 2011

### 2011 Endowment Fees with In-lieu Land\*\*

Type of Preserve	Enhancement Cost/acre	Land Management Cost/acre	TOTAL PER ACRE ENDOWMENT
<b>Agricultural Habitat Lands</b>	\$2,996.88	\$1,689.55	<b>\$4,686.43</b>
<b>Natural Lands</b>	\$2,996.88	\$1,689.55	<b>\$4,686.43</b>
<b>Vernal Pool Habitat</b>			
<i>Vernal Pool Grasslands</i>	\$564.36	\$6,183.02	<b>\$6,747.38</b>
<i>Vernal Pool Wetted</i>	\$39,956.00	\$6,183.02	<b>\$46,139.02</b>

\*\* Effective January 1, 2011 – December 31, 2011 in lieu of fees to be used as the endowment for the dedicated land preserves (Category B + C)

## VELB Mitigation

A special fee category shall apply when removal of elderberries occurs. The fee shall be paid to SJCOG, Inc. or a VELB mitigation bank approved by the Permitting Agencies. The current fee, as established in the VELB Conservation Fund Account managed by the Center for Natural Lands Management, and approved by the USFWS, is \$1,800 per VELB Unit (one unit= one stem over 1" in diameter at ground level which is removed). Fees shall be established by the JPA during preconstruction surveys (i.e., counts of stems to be removed with and without exit holes shall be completed during preconstruction surveys) and shall be paid to the JPA prior to ground disturbance or stem removal, whichever comes first.



*Please immediately confirm receipt  
of this fax by calling 333-6702*

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION  
SETTING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT  
CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES FOR  
2011

**PUBLISH DATE:** SATURDAY, NOVEMBER 6, 2010

**LEGAL AD**


**TEAR SHEETS WANTED:** One (1) please

**SEND AFFIDAVIT AND BILL TO:**  
**LNS ACCT. #0510052**

RANDI JOHL, CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, NOVEMBER 4, 2010

**ORDERED BY:** RANDI JOHL  
CITY CLERK

  
JENNIFER M. ROBISON, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

Faxed to the Sentinel at 369-1084 at _____ (time) on _____ (date) _____ (pages)	
LNS _____	Phoned to confirm receipt of all pages at _____ (time) _____ JMR _____ CF _____ MB (initials)



## **DECLARATION OF POSTING**

### **PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION SETTING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES FOR 2011**

On Friday, November 5, 2010, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider adoption of resolution setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2011 (attached and marked as Exhibit A) was posted at the following locations:

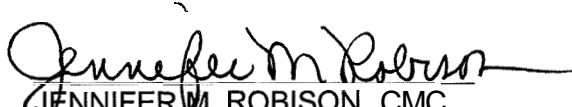
Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 5, 2010, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK**

  
JENNIFER M. ROBISON, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK



## CITY OF LODI

Carnegie Forum  
305 West Pine Street, Lodi

### NOTICE OF PUBLIC HEARING

Date: November 17, 2010

Time: 7:00 p.m.

For information regarding this notice please contact:

**Randi Johl**

**City Clerk**

**Telephone: (209) 333-6702**

**EXHIBIT A**

### NOTICE OF PUBLIC HEARING


**NOTICE IS HEREBY GIVEN** that on **Wednesday, November 17, 2010**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following item:

- a) **Adoption of resolution setting the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees for 2011.**

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 West Pine Street, 2<sup>nd</sup> Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

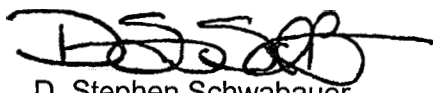
By Order of the Lodi City Council:



Randi Johl  
City Clerk

**Dated: November 3, 2010**

Approved as to form:



D. Stephen Schwabauer  
City Attorney